



One South Church Avenue
Suite 1700
Tucson, Arizona 85701-1621
520.770.8700
Fax 520.623.2418
www.quarles.com

Attorneys at Law in
Milwaukee and Madison, Wisconsin
Naples and Boca Raton, Florida
Phoenix and Tucson, Arizona
Chicago, Illinois

RECEIVED
CENTRAL FAX CENTER

Facsimile Transmission Form

SEP 06 2005

Date: September 6, 2005

To:	Fax No.	Phone No.
Name Examiner Son T. Nguyen Art Unit 3643 Company/Firm U. S. Patent & Trademark Office Alexandria, VA	571-273-8300 <u>After Final</u>	

From:	Antonio R. Durando	520-770-2236	520-770-8760
--------------	--------------------	--------------	--------------

Message:

APPELLANT: FORD, GARRETT N.

DOCKET NO.: 122142.00009

RECEIVED
OICE/IAP

SERIAL NO.: 10/755,984

FILED: 01/13/2004

SEP 07 2005

EXAMINER: NGUYEN, SON T.

ART UNIT: 3643

TITLE: HORSE BOOT WITH DUAL TONGUE ENTRY SYSTEM

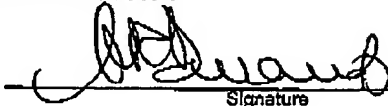
Attachments: Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (in duplicate)

IF YOU HAVE PROBLEMS RECEIVING THIS FACSIMILE, PLEASE CALL US IMMEDIATELY AT:
520-770-8760

No. of Pages (Including Cover) 3	Job Code: _____	
Client - Matter No.: 122142.00009	Time Keeper: ADURANDO	
Recipient: USPTO	Return To:	K. Tennant

IMPORTANT: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND/OR CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA REGULAR POSTAL SERVICE. THANK YOU.

PTO/SB/31 (04-05)
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 122142.00009	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>September 6, 2005</u> Signature: <u>Kathleen C. Tennant</u> Typed or printed name: <u>Kathleen C. Tennant</u>		RECEIVED CENTRAL FAX CENTER SEP 06 2005	
		In re Application of Garrett N. Ford Application Number 10/755,984 Filed 01/13/2004 For Horse Boot with Dual Tongue Entry System Art Unit 3643 Examiner Son T. Nguyen	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>500.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>250.00</u>	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>17-0055</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the		 Signature	
<input type="checkbox"/> applicant/inventor.		<u>Antonio R. Durando</u> Typed or printed name	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/88/96)		<u>520-770-8760</u> Telephone number	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>28,409</u>		<u>9/6/05</u> Date	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/08/2005 EHAILE1 00000035 170055 10755984

01 FC:2401

250.00 DA